

FISCAL NOTE

SB 1770 - HB 1786

March 19, 2001

SUMMARY OF BILL:

1. Requires the clerks of the court to do the following regarding the use of private probation services for misdemeanor cases:
 - Distribute cases on a rotating basis to private companies and the county probation office;
 - Monitor the private probation services serving their court according to the guidelines established by the court until the statewide private probation council becomes active;
 - Develop the necessary forms and make reports to the administrative judge of the judicial district.
2. Provides that the private probation service companies shall charge the standard monthly fee to the probationer as established by law and shall remit to the county, on the 15th of each month, an administrative fee of \$35.00 per probationer assigned to the company.
3. Creates a Class C misdemeanor offense for knowingly influencing the rotational system by an officer of the court or for knowingly attempting to influence the rotational system by a public or private probation services provider.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures* - Net Impact - Exceeds \$100,000

Increase Local Govt. Revenues - Net Impact - Exceeds \$100,000

Estimate assumes:

- increased costs to counties using private probation service companies to implement the provisions of the bill and an increase in local government revenues from the administrative fee imposed.
- impact depends upon the number of persons convicted of the Class C misdemeanor offense and the resulting increased cost to local governments to confine such persons versus the increased revenues to local governments from fines levied and collected under the provisions of this bill.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

SB 1770 - HB 1786